IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRL.MISC.NO.55797-M OF 2006

DATE OF DECISION: SEPTEMBER 14, 2006

Yogesh Kumar

....PETITITIONER

VERSUS

State of Punjab and others ....RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Sumeet Mahajan, Advocate,
for the petitioner.

...

The petitioner, who is the complainant, has filed this petition under Section 482 Cr.P.C for issuing two-fold direction; firstly to arrest the accused in case FIR No.235 dated 14.11.2005 registered under Sections 420/465/467/468/471 IPC at Police Station Division No.8, Jalandhar; and secondly to complete the investigation expeditiously.

I have heard the counsel for the petitioner and gone through the contents of the petition.

In this case, neither any mala fide has been alleged nor any material has been placed on the record to show that the police is not conducting the investigation fairly. In view of this, I am not inclined to issue the direction for arrest of the accused as in my opinion no direction for arrest can be issued keeping in view the law laid down by the Supreme Court in M.C.Abraham and another vs. State of Maharashtra and others, (2003) 2 SCC 649. However, keeping in view the fact that in this case the FIR was registered on 14.11.2005 and till date the final report has not been submitted, therefore, a direction is issued to the investigating agency to complete the investigation and submit the final report expeditiously preferably within a period of four months.

Dismissed with the aforesaid direction.

September 14, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE